

Posted – October 31, 2012

REGULAR MEETING NOVEMBER 5, 2012

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, November 5, 2012 at 7:00 P.M. (EXECUTIVE SESSION 6:00 P.M.) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again

before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

EXECUTIVE SESSION-6:00 P.M.

1. Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Litigation –Tax Appeal (Mitchell's Lane- Plat 123 Lot 18)

PUBLIC FORUM SESSION

2. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

ACTING AS A BOARD OF LICENSE COMMISSION

3. (Public Hearing Advertised)

Application of KJ's Pub, LLC dba KJ's Pub, 61 Aquidneck Avenue, for RENEWAL of its Alcoholic Beverage License for the 2012-2013 licensing year.

4. Application of St. Lucy's Church, 909 West Main Road, for a Class F-1 Alcoholic Beverage License for use at the same premises - Event December 1, 2012.

CONSENT

5. Approval of Minutes, re: Regular Meeting, October 15, 2012.

6. Memorandum of Finance Director thru Town Administrator, with enclosure, re: FY2013 Municipal Financial Report – Quarter ending September 30, 2012.

7. Communication of Finance Director, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

8. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

9. Communication of Tax Assessor, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

10. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

11. Communication of Peter A. Healey, P.E., Chief Civil Engineer, Environmental Resources/Highway Engineering, with enclosure, re: ADA Improvements to Greene Lane Middletown, RI, RIC No. 95105, RIFAP No. STP-AWDA (001),Project Notification.

12. Communication of Linsey J. Callaghan, Supervising Planner, Department of Administration, Division of Planning, re: Highway Functional Classification Amendment, Town of Middletown – Greene Lane.

13. Communication of Luis Rodriguez, P.E., Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, with enclosures, re: Case No. 13-01-0219A – Determination if 969 West Main Road is within an identified Special Flood Hazard Area.

14. Communication of Town Clerk, Town of Charlestown, with enclosures, re: Resolution in support of Low and Moderate Income Housing Act.

15. Communication of J. Clement Cicilline, M.S. President & CEO, Newport County Community Mental Health Center, re: Appreciation for donation in support of NCCMHC's 4th Annual Bike-a-thon.

16. Applications three (3) from the following named persons, firms or corporations for Special Event Permits. (See Attached List)

17. Applications received from the following named persons, firms or corporations for RENEWAL of Victualling House Licenses, for the 2012-2013 licensing year. (See attached list)

LICENSES

18. Application of James J. Gaston, Middletown for a Private Detective License for the 2012-2013 licensing year. (NEW)

19. Application of Niaz Ahmad dba N·Y·F·C Food Mart, 390 West Main Road, for a Victualling House License for the 2012-2013 licensing year. (NEW)

20. Application of Niaz Ahmad dba N·Y·F·C Food Mart, 390 West Main Road, for a Holiday License for the 2012-2013 licensing year. (NEW)

21. Application of Nutrition Ambition, LLC dba Daily Shake, 883 West Main Road, for a Victualling House License for the 2011-2012

licensing year. (NEW)

22. Application of Nutrition Ambition, LLC dba Daily Shake, 883 West Main Road, for RENEWAL Victualling House License for the 2012-2013 licensing year.

PUBLIC HEARING

23. (Public Hearing Advertised)

Application of Marylous News, Inc. dba Marylous Coffee, 207 East Main Road, for RENEWAL of Additional Hours of Operation License for the 2012-2013 licensing year.

TOWN ADMINISTRATOR COMMUNICATION

24. Memorandum of Chief Pesare thru Town Administrator, with enclosures, re: Stop Sign Request – Wood Road and Ridgewood Road intersection.

25. Memorandum of Chief Pesare thru Town Administrator, with enclosures, re: Traffic Study of intersection Wolcott Avenue and Reservoir Road.

26. Memorandum of Town Planner thru Town Administrator, re: Consultant Selection – MIDD-013-003- North Easton Pond Watershed, Storm Water Phosphorous Attenuation Feasibility Study.

27. Resolution of the Council, re: Award of Contract for North Easton Pond Watershed, Storm Water Phosphorous Attenuation Feasibility Study.

28. Memorandum of Town Planner thru Town Administrator, re: 2013 RIDEM Recreational Trails Grant Program.

29. Resolution of the Council, re: Authorizing submission of RIDEM Recreational Trails Grants applications.

APPOINTMENTS TO BOARDS & COMMITTEES

30. Appointment of one (1) member to the Middletown School Committee for a term expiring November 2014.

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.

ADDENDUM TO TOWN COUNCIL AGENDA

POSTED – NOVEMBER 2, 2012

REGULAR MEETING – NOVEMBER 5, 2012

EXECUTIVE SESSION – 6:00 PM

**Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5
(a) (5) Lease (Crown Castle Cell Tower).**

Wendy J.W. Marshall, CMC

Town Clerk

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